

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: November 1, 2005

JOSÉ M. SANCHEZ

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marian Sheppard
Chief Deputy Clerk

SHIRLEY L. DAWSON

Member

Payson Inn
Payson, Arizona

PRESENT: José M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Daisy Flores, County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:13 a.m. this date. Daisy Flores led the Pledge of Allegiance and Father Norman Burke of St. Paul's Episcopal Church delivered the Invocation.

Chairman Sanchez addressed agenda item number 2, consideration to adopt Resolution 05-11-01 ordering and declaring that the Town of Diamond Star be incorporated and that from the date hereof the inhabitants within the metes and bounds described in the Resolution shall be and they are hereby declared to be a body politic by the name of Town of Diamond Star. The Board of Supervisors received a signed petition for this incorporation and Chairman Sanchez stated that Linda Haught-Ortega, Gila County Recorder, verified that the petition contained 980 signatures, and of that number the petition contained 843 qualified signatures. Ms. Haught-Ortega stated that there are 1,227 registered voters in the Diamond Star area. The proposed area for the Town of Diamond Star has the same boundary lines as the Diamond Star Fire District. Per statute, the petition must contain signatures of at least two-thirds of the qualified voters. She verified that the petition contained qualified

signatures of over two-thirds of those registered to vote in the subject area. Chairman Sanchez advised the audience that although this agenda item is not scheduled as a public hearing, he would allow public comment at this time as long as the speaker has filled out a public participation form. Three public participation forms were submitted to Chief Deputy Clerk Marian Sheppard on this agenda item. Chairman Sanchez called on Mr. Gary Hatch to speak to this issue. Mr. Hatch addressed two issues. The first concern is if the Board incorporates the Town of Diamond Star, the affect said incorporation would have on the Diamond Star Fire District. Mr. Hatch advised that incorporating the Town of Diamond Star will have no affect on the Diamond Star Fire District. He also advised that per statutory requirements, the Town of Payson was provided an opportunity to annex this area; however, the Town of Payson declined said annexation. Mr. Hatch advised that the next statutory step was to present a petition to the Board of Supervisors for the incorporation. He thanked the Board for its consideration of this issue. Chairman Sanchez called on Ms. Shirley Colin to speak to the issue. Ms. Colin spoke in favor of incorporating the Town of Diamond Star and stated, "I totally defend the people of Star Valley and Diamond Point Shadows and I am proud to see the turnout today." Chairman Sanchez called on Mr. Bill Rappaport to speak to the issue. Mr. Rappaport stated that today is a "monumental, historic day for us" and he thanked the people of Star Valley and Diamond Point Shadows for their efforts. Chairman Sanchez asked for Board comments; none were offered at this time. Supervisor Dawson made a motion to adopt Resolution No. 05-11-01, which was seconded by Vice-Chairman Martin and unanimously approved by the Board. Chairman Sanchez stated, "Congratulations to those folks that beat the bushes and put things together in the manner in which it was presented to this Board." **(A copy of the Resolution is permanently on file in the Board of Supervisors office.)**

Chairman Sanchez addressed agenda item number 3, consideration to adopt Resolution No. 05-11-02 appointing seven persons to serve on the first

common council of the Town of Diamond Star. For the record, it was stated on today's meeting agenda that this agenda item would only be addressed by the Board of Supervisors if the Board first adopted Resolution 05-11-01.

Chairman Sanchez advised that in anticipation of the Town of Diamond Star being incorporated, last week the Board sent out a public service announcement advising all persons interested in serving on the first common council of the Town of Diamond Star to submit letters of interest or resumes to Steven L. Besich, County Manager/Clerk of the Board of Supervisors by no later than noon on Monday, October 31, 2005. He then advised that Mr. Besich provided the Board with a list containing the names of the individuals who submitted letters of interest or resumes for consideration as a Town of Diamond Star council member. Chairman Sanchez asked each applicant to publicly address the Board and audience for two minutes in order to provide a brief introduction and a statement regarding their interest in serving as a council member. He announced that Christopher M. Benjamin submitted a resume; however, the Board later received written notification from Mr. Benjamin that he rescinded his application for a position on the Town of Diamond Star Council. The following individuals addressed the Board: Matthew Benjamin, Steven D. Bingham, George S. Binney, William Heath, Charles Heron, Mary Ann Kotelnicki, Arthur E. Lloyd, David R. Massie, Ronnie O. McDaniel, Delbert E. Newland, H. Ted Pettet, Richard Pinkerton, and Justin "Randy" White. Chairman Sanchez called on Mr. William Roy Kollenborn, an applicant, but a member of the audience advised that he was not present at today's meeting. At this time a score page containing the names of the applicants was provided to each Board member. County Attorney Daisy Flores requested that each Board member place their name on their score page. Mr. Besich advised that Chris Benjamin's name was listed on the score page; however, he reiterated that Mr. Benjamin has rescinded his application. He then advised of the scoring process. Each Board member thanked those individuals that submitted an application and Chairman Sanchez and

Supervisor Dawson advised that the newly appointed Council will have responsibility for calling an election to elect future Council members. At this time Chairman Sanchez called on a man in the audience who raised his hand. Mr. Tim Bradley advised that he also submitted an application. Mr. Besich advised Mr. Bradley that he did not receive his application. At 10:47 a.m., the Board began the process of selecting Council members. At 10:56 a.m., Chairman Sanchez announced that the Board had selected the seven new Council members and he asked for a motion to adopt Resolution No. 05-11-02. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 05-11-02 appointing the following individuals to the Town of Diamond Star Council: William Heath, Charles Heron, Mary Ann Kotelnicki, Arthur E. Lloyd, Ronnie O. McDaniel, H. Ted Pettet, and Justin "Randy" White. At the request of Chairman Sanchez, Mr. Besich read aloud the Resolution at this time. Chairman Sanchez advised that Peter Cahill, Gila County Superior Court Judge, is visiting the Payson County Complex today and that he has agreed to perform the swearing-in ceremony of the newly appointed Council members. Ms. Flores stated, "Judge Cahill is here today, so if the Town Council wants to get sworn in, head over to the office and he will be happy to perform that service. It is up to the Town Council to make that decision. You may want to talk with Dixie Mundy, Elections Director, about upcoming elections." Supervisor Dawson requested that the newly appointed Town Council inform the Board of the date and time it chooses to be sworn into office as Board members may want to attend. For the record, the newly appointed Council members were sworn into office by Judge Cahill immediately following the Board meeting. Mr. Besich advised the newly appointed Council members to become familiar with the Open Meeting Law. He offered the services of his office and the services of Marian Sheppard to provide information on preparing meeting agendas, minutes, arranging Council meetings, etc. **(A copy of the Resolution is permanently on file in the Board of Supervisors office.)**

Chairman Sanchez addressed agenda item number four, approval of Consent Agenda items A through E. Supervisor Dawson advised that a correction needed to be made on page one of the September 23, 2005, minutes. The sentence which reads, "2,000 acre feet will go to the Town of Payson..." should read "3,000 acre feet will go to the Town of Payson..." Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved all Consent Agenda items with the correction being made to the September 23, 2005, minutes as noted by Supervisor Dawson. Approved Consent Agenda items are as follows:

- A. Approval of Amendment No. 1 to Intergovernmental Agreement (Contract No. HG352192) between the Health and Community Services Division and the Arizona Department of Health Services to change the fee for services and price sheet of the Contract.
- B. Approval of the September 23, 2005, October 4, 2005, and October 11, 2005, BOS meeting minutes
- C. Approval of the September 2005 monthly departmental activity report submitted by the Payson Regional Justice of the Peace.
- D. Approval of the personnel reports/actions for the week of October 31, 2005, as follows:

Departure from County Service -

- 1. Economic Development Director – Economic Development – 11-03-05 – Economic Development Fund – G. Scott Flake – Hire 09-01-03 – Resigned for other employment
- 2. REPAC Training Specialist II – Community Services – 10-28-05 – Grant Fund - Holly Nelson-Tomkinson – Hire 08-08-05 – Resigned for other employment
- 3. Laborer – Solid Waste Management – 10-17-05 – Enterprise Fund Timmy McGoldrick – temporary position
- 4. Engineering Technician II – Engineering – 10-28-05 – Engineering Fund - Jonathan Ortega – Hire 10-11-99 – Resigned – leaving area

Hire to County Service:

5. Road Maintenance Worker II – Consolidated Roads – 11-07-05 – Road Fund - Brett Bingham – Reinstatement
6. Road Maintenance Worker II – Consolidated Roads – 11-02-05 – Road Fund - Michael Moore

Position Review:

7. Salary Adjustment – Clerk III – Recorder – 10-17-05 – General Fund - Connie Alvino – Correction to bring salary to entry level plus 5% for COLA and Anniversary Date Increase
8. Salary Adjustment – Building Safety Assistant II – Community Development – 10-31-05 – General Fund – Margie Chapman – Increase due to certification
9. Anniversary Date Increase – 10-31-05 – Debbie Fickel
10. Change status – Laborer – Constituent Services II – 10-31-05 – Constituent Services II Fund – John Sanchez – Full time to part time status

Request Permission to Post:

11. Executive Director – Eastern Arizona Counties Organization/Environmental Economic Communities Organization – position vacated by Martin Moore
 12. Project Manager – Public Works Administration – position vacated by Tony Lopez
 13. Training Specialist II – Community Services REPAC – position vacated by Holly Nelson
 14. Road Maintenance Laborer – Consolidated Roads – position vacated by Leon Dude
- E. Approval of the finance reports/demands/transfer for the week of October 31, 2005, as follows: \$418,632.59 was disbursed for County expenses by voucher numbers X147832 through X147928, X147930 through X147958, and X374579 through X374868. There were no

hand-issued warrants. **(An itemized list of vouchers is permanently on file in the Board of Supervisors office.)**

After the Consent Agenda was approved, each Board member provided a statement on the incorporation of the Town of Diamond Star. Everyone agreed that this was an historic day in Gila County.

At this time each Board member presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 11:27 a.m.

José M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk